

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JAMES M. BOONE,

Plaintiff,

v.

No.: 3:11-cv-223  
(VARLAN/GUYTON)

CORPORAL LYNCH, et al.,

Defendants.

**MEMORANDUM**

This is a *pro se* civil rights complaint under 42 U.S.C. § 1983. Because the plaintiff did not pay the \$350.00 filing fee nor submit an application to proceed *in forma pauperis*, plaintiff was given thirty days to pay the filing fee or to submit the proper documents to proceed *in forma pauperis*. The plaintiff has failed to respond to the Court's Order within the time required. Accordingly, this action will be **DISMISSED WITH PREJUDICE** for failure to prosecute and to comply with the Orders of the Court. *See McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997). The Court will **CERTIFY** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Rule 24 of the Federal Rules of Appellate Procedure.

**AN APPROPRIATE ORDER WILL ENTER.**

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE